

## DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



September 4, 1997

ALL COUNTY LETTER NO. 97-51

TO: ALL COUNTY WELFARE DIRECTORS

- |                                     |   |
|-------------------------------------|---|
| <input type="checkbox"/>            | State Law Change                                |
| <input checked="" type="checkbox"/> | Federal Law or Regulation Change                |
| <input type="checkbox"/>            | Court Order or Settlement Agreement             |
| <input type="checkbox"/>            | Clarification requested by One or More Counties |
| <input type="checkbox"/>            | Initiated by CDSS                               |

SUBJECT: CORRECT METHOD FOR DETERMINING ELIGIBILITY PERIOD FOR CERTAIN KURDISH AND IRAQI ASYLEES [SEE ATTACHED OFFICE OF REFUGEE RESETTLEMENT (ORR) LETTERS]

The purpose of this letter is to call your attention to the correct method of calculating time eligibility for a certain group of Kurdish and Iraqi evacuees who are of special humanitarian concern to the United States and were allowed to apply for asylum. Once approved for asylum, they were issued an I-94, Arrival/Departure Record, which states the date asylum was granted and contains the following verification:

"Asylum Granted Indefinitely pursuant to Section 208 of the INA," (or it may reference Sec. 208(a)).

Unlike refugees, where time eligibility is calculated from the date they entered the country, time eligibility for Kurds and Iraqis with the above designation, is calculated from the date asylum was granted. The difference between calculating time eligibility for this group of asylees using the date asylum was granted and calculating it from the date of entry could be the difference of several additional months of time eligibility. Therefore, it is important to evaluate those asylee cases with the above designation to determine if time eligibility was calculated correctly.

If you have any questions, please contact your County Refugee Program Operations Analyst at (916) 654-4356.

Sincerely,

BRUCE WAGSTAFF  
Deputy Director  
Welfare Programs Division

Attachment



DEPARTMENT OF HEALTH & HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES  
370 L'Enfant Promenade, S.W.  
Washington, D.C. 20447

OCT 22 1996

To: State Welfare Administrators  
State Refugee Coordinators  
Voluntary Agencies  
Other Interested Parties

The United States recently airlifted to Guam Kurdish evacuees who are of special humanitarian concern to the United States, such as former employees of the U.S. government and their families. They were paroled into the custody of the U.S. Immigration and Naturalization Service (INS) and were given the opportunity to apply for asylum and resettlement in the U.S.

Once approved for asylum, the immigration document (I-94) will state the date that asylum was granted and have the following statement, or a variation thereof:

"Asylum Granted Indefinitely pursuant to Section 208 of the INA," (or it may reference Sec. 208(a)).

If otherwise eligible, persons granted asylum are eligible for refugee program benefits and assistance. Like refugees, asylees are authorized to work and to receive social security numbers. Unlike refugees who receive their status prior to being admitted to the U.S., asylees usually are granted asylum while they are physically present in the U.S. Therefore, while the eligibility period for refugees is calculated based on their date of arrival in the U.S., the eligibility period for assistance for asylees is computed from the date that the individual entered the U.S. For these Kurdish evacuees, the date of entry is considered by ORR to be the date that asylum status was granted.

Additionally, under the Welfare Reform legislation, Pub. L. No. 104-193, enacted August 22, 1996, asylees are eligible for the same benefits as are refugees.

Thank you for your consideration. If you have questions regarding benefits for these asylees, please contact Ms. Barbara Chesnik at the Office of Refugee Resettlement. Her telephone number is (202) 401-4558.

Lavinia Limon  
Director  
Office of Refugee Resettlement